

PATENT  
Docket No. 342312003700

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Tamara Alcaraz

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael J. RODRIGUEZ and  
James A. JAMISON

Serial No.: 09/868,347

Filing Date: September 24, 2001

For: CYCLIC PEPTIDE ANTIFUNGAL  
AGENTS

Examiner: E. Peselev

Group Art Unit: 1623

PETITION TO WITHDRAW  
HOLDING OF ABANDONMENT UNDER 37 CFR § 1.181(a)Box DAC  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

A Notice of Abandonment dated March 11, 2003 (Paper No. 11) was received for the above referenced patent application. The notice states that the application is abandoned in view of Applicants' failure to timely respond to the Office Action dated July 26, 2002 (Paper No. 8). Attached are copies of the Response, Petition for Extension of Time, Postcard, and Express Mail Receipt sent to the U.S. Patent and Trademark Office on November 22, 2002. The Response and Transmittal include Certificates of Mailing by Express Mail, indicating that the Response was deposited with the U.S. Postal Service and mailed by express mail on November 22, 2002.

pa-778665

Accordingly, the response was timely filed. Applicants hereby request withdrawal of the holding of abandonment.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this petition, or to credit any overpayment, to **Deposit Account No. 03-1952** referencing attorney docket no. **342312003700**.

Dated: April 3, 2003

By: 

Kimberly A. Bolin  
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